

### REMARKS

Claims 26-34 are presented for consideration, with Claims 26, 29 and 32 being independent.

Minor editorial changes have been made to Claims 26 and 32 in order to overcome the objection set forth on page 2 of the Office Action.

All of the claims, i.e., Claims 26-34, stand rejected on obviousness-type double patenting grounds as allegedly being unpatentable over Claim 1 of U.S. Patent No. 6,091,377 (the '377 patent).

Without conceding to the propriety of this rejection, it is respectfully pointed out that a Terminal Disclaimer was filed in the Amendment dated January 3, 2003, with respect to the '377 patent. Accordingly, it is submitted that the double patenting rejection should be withdrawn in view of the earlier-filed Terminal Disclaimer.

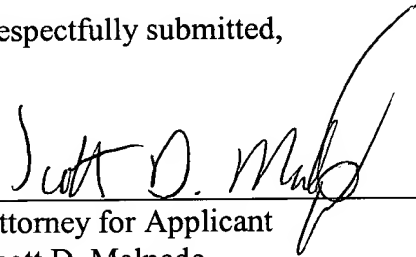
Applicant wishes to thank the Examiner and the Examiner's Supervisor for the courtesies extended toward his representative during the telephone conversations of October 7 and October 8, 2003. The subject of the previously-filed Terminal Disclaimer was discussed, and it was tentatively agreed that the double patenting rejection would be withdrawn.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C.

office by telephone at (202) 530-1010. All correspondence should continue to be directed to our  
below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Scott D. Malpede", is written over a horizontal line.

Attorney for Applicant  
Scott D. Malpede  
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

SDM/vmm

DC\_MAIN 146599 v 1